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03/11/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91188824
Party	Plaintiff Healthpoint, Ltd.
Correspondence Address	William D. Wiese DuBois, Bryant & Campbell, LLP 700 Lavaca, Suite 1300 Austin, TX 78701 UNITED STATES bwiese@dbcllp.com, alagrone@dbcllp.com
Submission	Withdrawal of Opposition
Filer's Name	William D. Wiese
Filer's e-mail	bwiese@dbcllp.com, alagrone@dbcllp.com
Signature	/William D. Wiese/
Date	03/11/2009
Attachments	Withdrawal_Docs.pdf (2 pages)(75071 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Mark Application Serial No. 77/497097 Published in the <u>Official Gazette</u> on January 27, 2009.

HEALTHPONT, LTD.

Opposer,

Opposition No. 91188824

vs.

vs.

APCO Graphics, Inc.

Applicant.

NOTICE OF WITHDRAWAL OF OPPOSITION

TO THE TRADEMARK TRIAL AND APPEAL BOARD:

- 1. Applicant hereby agrees to abandon its application to register Application Number 77/497097.
- Applicant further agrees to file the attached Express Abandonment of Application
 Number 77/497097 simultaneously with the PTO.
- 3. As a result of the Applicant's abandonment of the application, Opposer hereby withdraws Opposition No. 91188824 without prejudice.

William D. Wiese

DuBois/Bryant & Campbell, LLP

Attorney for Opposer

700 Lavaca Street, Suite 1300

Austin, Texas 78701

(512) 457-8000

(512) 457-8008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Mark Application Serial No. 77/497097 Published in the <u>Official Gazette</u> on January 27, 2009.

Healthpoint, Ltd.,
Opposer,
Opposition No. 91188824
vs.

APCO Graphics, Inc.,
Applicant.

EXPRESS ABANDONMENT OF APPLICATION

Pursuant to 37 CFR § 2.68, the above identified applicant hereby expressly abandons with prejudice the application for trademark registration made under the serial number identified above.

Pursuant to 37 CFR § 2.135, the Opposer, the only party adverse to applicant in Opposition Proceeding No. 91178299, by signature of its counsel of record, hereby consents to such abandonment.

Paul S. Weidlich

Chambliss, Bahner & Stophel, P.C.

Attorney for Applicant

1000 Tallan Building, Two Union Square

Chattanooga, Tennessee 37402

(423) 756-3000

(423) 508-1232

William D. Wiese

DuBois, Bryant & Campbell, LLP

Attorney for Opposer

700 Lavaca Street, Suite 1300

Austin, Texas 78701 (512) 457-8000

(512) 457-8008